

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA	)	
ex rel. STEVEN SZAREWICZ,	)	
	)	
Petitioner,	)	Civil Action No. 07-160
	)	
v.	)	Judge Arthur J. Schwab
	)	Magistrate Judge Caiazza
SUPT. MELVIN LOCKETT, <i>et al.</i> ,	)	
	)	
Respondents.	)	

**MEMORANDUM ORDER**

Steven Szarewicz's Petition for Writ of Habeas Corpus was received by the Clerk of Court on February 8, 2007, and was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation, filed on February 12, 2007, recommended that the Petition for Writ of Habeas Corpus filed by Petitioner Szarewicz be dismissed, without service, as a second or successive petition. The Petitioner was allowed ten days from the date of service to file objections, and he filed objections on February 23, 2007.

After de novo review of the pleadings and documents in the case, together with the Report and Recommendation and the objections thereto, the following order is entered:

AND NOW, this 6<sup>th</sup> day of March, 2007,

IT IS HEREBY ORDERED that the Petition for Writ of Habeas Corpus filed by Steven Szarewicz is dismissed as a second or successive petition.

The Report and Recommendation of Magistrate Judge Caiazza, (Doc. 2), dated February 12, 2007, is adopted as the opinion of the court.

\_\_\_\_\_  
s/Arthur J. Schwab  
Arthur J. Schwab  
U.S. District Court Judge

cc: Steven Szarewicz  
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